

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.6114 OF 2019

ORDER:

Heard the learned counsel for the petitioner and Sri P.Krishna Reddy, learned Standing counsel for respondent-Corporation.

The petitioner challenges the undated rejection letter No.3/C4/00783/16 uploaded on the website of the GHMC rejecting the building permission application for constructing a residential building in Sy.No.47 admeasuring 207.66 sq.yards on plot bearing H.No.16-2-751/93/A/2/1/C of Sairam Colony, Saidabad Mandal, Hyderabad. The permission was rejected with the following endorsement:

“....suggested for rejection, since the road width less than 9.00 mtrs in width a building may be permitted with a maximum height of 10m in such site, after leaving 4.5 m from the centre line of such road for widening and the same shall be handed over to the local body and shall leave the prescribed setback at per Table III.”

It is the specific case of the petitioner that as a matter of fact, petitioner has already executed an undertaking on 09.05.2016 on a stamp paper agreeing to forego 27.88 sq.mtrs to GHMC in road widening process. In those circumstances, rejection of the permission on the

ground that the petitioner has not given undertaking is totally illegal.

On this issue, learned Standing counsel was directed to get instructions. Today, on instructions, learned Standing counsel Sri P.Krishna Reddy submits that there was a mistake on the part of the respondents in rejecting the application of the petitioner and the same will be re-considered.

Having regard to the submission of the learned Standing counsel, the rejection letter bearing No. 3/C4/00783/16 is set aside with a direction to the 2nd respondent to consider the application of the petitioner in accordance with law within a period of four weeks from the date of receipt of copy of this order and communicate the decision to the petitioner.

Accordingly, the Writ Petition is disposed of. No order as to costs.

Miscellaneous petitions pending in the writ petition, if any, shall stand closed.

CHALLA KODANDA RAM, J

Date: 16.04.2019.

Note:
CC by one week
(B/o) dv

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Dated : 16.04.2019

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